

THE KENTUCKY BOARD OF EXAMINERS OF PSYCHOLOGY MINUTES
September 12, 2011

A special meeting of the Board of Examiners of Psychology was held at the Office of Occupations and Professions in Frankfort, KY on September 12, 2011.

MEMBERS PRESENT

Thomas W. Miller, Ph.D., Chair
Barbara K. Jefferson, Ph.D., Vice-Chair
Sally Brenzel, Psy.D.
William G. Elder, Ph.D.
Melissa Hall, M.S.
Owen Nichols, Psy.D.
Eva Markham, Ph.D.
Danette Morton-Page, M.A.
Paula Glasford

OCCUPATIONS & PROFESSIONS STAFF

Julie Jackson, Board Administrator
Jeremy Horton, Deputy Executive Director

OTHERS PRESENT

Mark Brengelman, Assistant Attorney General

MEMBERS ABSENT

None

A meeting of the Kentucky Board of Examiners of Psychology, Complaint Committee, was called to order at 8:30 a.m., Monday September 12, 2011 at the Office of Occupations and Professions. A motion was made by Dr. Markham to go into closed session per KRS 61.810 (1)(c) and (j), seconded by Ms. Morton-Page. A motion was made by Dr. Markham to come out of closed session, seconded by Ms. Hall. The committee meeting adjourned at 10:00 a.m.

CALL TO ORDER

Dr. Miller, Ph.D., Chair, called the meeting to order at 10:05 a.m. on September 12, 2011.

MINUTES

The minutes of the July 28 & 29, 2011 meeting were called to the attention of the Board. A motion was made by Dr. Elder to approve the minutes as amended. The motion, seconded by Dr. Markham, carried.

FINANCIAL REPORT& LEGAL FEES

Financial statement for the month ending July 30 and August 31, 2011 and legal fees for June & July 2011 were presented to the Board. Mr. Horton advised the Board of the new financial report format. Dr. Elder requested further consideration of the format to be used, expressing concern that the report does not reflect all items included under Other Professional Services. A motion was made by Dr. Markham to accept the financial statement and legal fees. The motion, seconded by Dr. Jefferson, carried. The Board voted with Dr. Elder opposing the new format.

DIRECTOR'S REPORT

Mr. Horton advised that the Ethics training by the Ethics Commission will be held at the Board meeting on October 3, 2011.

LEGAL MATTERS

A motion was made by the Complaints Screening Committee to go into closed session to discuss the pending litigation in *Maggard v. Kentucky Board of Examiners of Psychology* per KRS 61:810 (1) (c) and (j). The motion, seconded by Ms. Glasford, carried.

A motion was made by Dr. Elder to return to open session. The motion, seconded by Dr. Jefferson, carried.

COMPLAINTS SCREENING COMMITTEE

- Case 00-05 – A motion was made by Ms. Glasford to pursue a possible Rule 11 Sanctions on various claims made by Dr. Maggard as permissible. The motion, seconded by Dr. Jefferson, carried.
- Case 03-12 and 06-05 – Ongoing. Notice of Administrative Hearing has been drafted.
- Case 10-19 – Ongoing.
- Case 10-21 – The Complaints Screening Committee made a motion to approve the presented Settlement Agreement. The motion, seconded by Dr. Jefferson, carried. The Board voted with four (4) in favor, Dr. Owen abstained. Dr. Elder will serve as Board liaison and work to find a supervisor.
- Case 10-24 – The Complaints Screening Committee made a motion to approve the presented Settlement Agreement. The motion, seconded by Dr. Jefferson, carried. The Board voted with three (3) in favor and two (2) opposed. Dr. Jefferson will serve as Board liaison. The current supervisor will continue as supervisor.
- Case 10-27 – The Administrative Hearing scheduled after today's meeting was cancelled. A new date is to be set.
- Case 10-30 – Ongoing.
- Case 11-01 – The Complaints Screening Committee made a motion to dismiss the case. The motion, seconded by Dr. Jefferson, carried. The Board voted with all in favor.
- Case 11-03 A & B – Ongoing.
- Case 11-04 – Ongoing.
- Case 11-05 – The Complaints Screening Committee made a motion to accept the Cease and Desist Affidavit signed by the Ohio psychologist. The motion, seconded by Dr. Elder, carried. The Board voted with all in favor.
- Case 11-06 – Settlement Agreement to be tendered.
- Case 11-07 – Ongoing.
- Case 11-08- Ms. Jackson will check to see if response has been received.
- Case 11-09 – Ongoing.
- Case 11-10 – Ongoing.
- Case 11-12 – The Complaints Screening Committee made a motion to dismiss the case. The motion, seconded by Dr. Elder, carried. The Board voted with all in favor.

- Case 11-13 – Ongoing. Dr. Markham recused herself from the discussion and left the room. She will complete a Conflict Statement form.
- Case 11-14 – The Complaints Screening Committee made a motion to investigate the case. The motion, seconded by Dr. Elder, carried. The Board voted with all in favor. Dwight Auvenshine will serve as investigator. Dr. Markham will serve as Case Manager.

The members of the Complaints Screening Committee recused from voting on the above recommendations of the Committee.

COMMITTEE REPORTS

Supervision Committee – Dr. Elder discussed a request to complete direct observation by audiotape. The Board approved the request.

Continuing Education Committee – Ongoing and routine monitoring.

Credentials Review Committee – Dr. Jefferson discussed two applicants from non-citizens and a possible applicant practicing without a license. Dr. Jefferson will contact the applicant for clarification.

Examination Committee – The next exam will be held on September 16, 2011. Dr. Brenzel will contact KPA regarding examiner training.

Disciplined Psychologists Reports – None

EXPIRED LICENSURE REPORT

There was one expired license for the month of April.

OLD BUSINESS

Retention schedule – The Board reviewed the proposed schedule submitted by Dr. Nichols. Discussion will be held at October meeting.

Discrepancy in law booklet regarding supervised experience – The Board discussed the discrepancy regarding supervised experience and practicum hours. Dr. Jefferson will contact Sheila Schuster to advise of the needed regulation changes.

NEW BUSINESS

Email from Jesse Owen regarding exam data – The Board reviewed the email and determined that a response has been sent.

Letter from APA regarding Spalding University – The Board reviewed the letter from APA.

Legalities of subpoenaing records from a psychologist – Discussion held. The Complaints Committee was instructed on subpoenaing additional records if applicable. Steve Katsikas will attend the meeting on October 3, 2011 to follow up.

October ASPPB conference in Chicago – A motion was made by Dr. Markham for Dr. Jefferson to attend the conference in addition to Dr. Markham, Dr. Elder, Ms. Morton-Page and Mr. Brengelman. The motion, seconded by Dr. Nichols, carried.

CONFLICTS

Dr. Markham had conflict with Case 11-13 and is recused. Disclosure of Conflict of Interest Statement has been completed.

SCHEDULE NEXT MEETING

The next Board meeting will be held on October 3, 2011 at the Office of Occupations and Professions, Frankfort, KY.

TRAVEL AND PER DIEM

A motion was made by Ms. Glasford to approve payment of travel expenses and per diem compensation for eligible members attending today's meeting. The motion, seconded by Dr. Markham, carried.

ADJOURNMENT

A motion made by Dr. Markham to adjourn the meeting at 12:00 p.m. The motion, seconded by Dr. Elder, carried.

Thomas W. Miller, Ph.D. ABPP